

REMARKS

Receipt of the Office Action of November 9, 2010 is gratefully acknowledged.

The drawings are objected to because reference numerals 24 and 55 are shown in the drawings but not mentioned in the specification. In reply, Figs 1 and 3 have been amended to delete reference numerals 24 and 55. REPLACEMENT SHEETS for both figures are being submitted herewith, thereby obviating this objection.

The discussion relating to the abstract is noted. The abstract was amended with the Preliminary Amendment that was filed, and the amended abstract is believed to fully comply with the requirements for an abstract.

The rejection of claims 18 - 34 under 35 USC 112, second paragraph is noted. In reply, claims 18, 20 and 34 have been amended to delete the "in particular" phrase and the "Preferably as" phrase, thereby obviating this rejection.

Claims 18 - 27 and 29 - 34 are rejected under 35 USC 102(b) by Reutter. This rejection is respectfully traversed.

The Reutter design and the design of the present invention are both closure caps. The designs, however, are quite different. The drive part 47 of the present invention and the valve assembly 115 of Reutter are positioned differently and function differently. According to the present invention, a separate drive part is disposed on a circumferential region of the container wall adjacent to the connecting piece. That means that the drive part according to the present invention lies exterior of the axis of the closure cap. Not so with

Reutter.

To insure clarity, claims 18 and 19 have been combined, and this combination is not, it is respectfully submitted, found in Reutter.

It is noted that claim 18 as amended has been allowed in the corresponding European prosecution over the same Reutter reference.

It is noted that claims 28 has not been rejected over art. Accordingly, claim 28 has been replaced with new claim 35 which is a combination of claims 18 (amended), 27 and 28. New claim 35 is believed to be in prima facie condition for allowance.

In view of the foregoing, reconsideration and reexamination are respectfully requested and claims 18, 20 - 27, 29 - 34 and 35 found allowable.

Respectfully submitted,
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